## SENATE, No. 938

# STATE OF NEW JERSEY

### 219th LEGISLATURE

INTRODUCED JANUARY 27, 2020

**Sponsored by:** 

**Senator JOSEPH PENNACCHIO** 

**District 26 (Essex, Morris and Passaic)** 

**Senator SHIRLEY K. TURNER** 

**District 15 (Hunterdon and Mercer)** 

#### **SYNOPSIS**

Exempts from local approvals installation of electric vehicle charging station at gasoline service station that meets certain requirements.

#### **CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 9/17/2020)

#### S938 PENNACCHIO, TURNER

**AN ACT** concerning the installation of electric vehicle charging stations at gasoline service stations and supplementing P.L.1975, c.291 (C.40:55D-1 et seq.).

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

- 1. a. An application for development for the installation of an electric vehicle charging station at a gasoline service station shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to P.L.1975, c.291 (C.40:55D-1 et seq.) or any other law, rule, or regulation, and shall be approved by the appropriate administrative officer, provided the application meets the following requirements:
- (1) the proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the gasoline service station;
- (2) all other conditions of prior approvals for the gasoline service station continue to be met; and
- (3) the proposed installation complies with the construction codes adopted in the State Uniform Construction Code, any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.
- b. An electric vehicle charging station installed at a gasoline service station shall be subject to local and Department of Community Affairs inspection requirements.
- c. As used in this section, "electric vehicle charging station" means a station that is designed in compliance with the State Uniform Construction Code adopted pursuant to P.L.1975, c.217 (C.52:27D-119 et seq.), that delivers electricity from a source outside an electric vehicle into one or more electric vehicles. An electric vehicle charging station may include several charge points simultaneously connecting several electric vehicles to the station and any related equipment needed to facilitate charging plug-in electric vehicles.

2. This act shall take effect immediately.

#### **STATEMENT**

This bill exempts the installation of an electric vehicle charging station at a gasoline service station from site plan or other land use board review and variance relief requirements under the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.) or any other law, rule, or regulation, and requires the appropriate administrative officer to approve the application for the proposed installation if

1 certain requirements are met. The requirements to be met are as 2 follows:

- 1) the proposed installation does not violate bulk requirements applicable to the property and requires no changes to the conditions of the original final approval of the site plan or subsequent approvals for the gasoline service station;
- 2) all other conditions of prior approvals for the gasoline service station continue to be met; and
- 3) the proposed installation complies with the construction codes adopted in the State Uniform Construction Code, any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.

The bill also specifies that an electric vehicle charging station installed at a gasoline service station shall be subject to local and Department of Community Affairs inspection requirements.

The bill defines "electric vehicle charging station" as a station that is designed in compliance with the State Uniform Construction Code adopted pursuant to P.L.1975, c.217 (C.52:27D-119 et seq.), that delivers electricity from a source outside an electric vehicle into one or more electric vehicles. An electric vehicle charging station may include several charge points simultaneously connecting several electric vehicles to the station and any related equipment needed to facilitate charging plug-in electric vehicles.